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UNCLAS LILONGWE 000729

SIPDIS

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SUBJECT: WORST FORMS OF CHILD LABOR UPDATE

REF: (A) 03 LILONGWE 909; (B) 04 LILONGWE 696; (C) 04

LILONGWE 821; (D) 04 STATE 163967; (E) STATE 143552

1. This is an update of reftel C as per reftel E request.

Child labor law enforcement

2. According to Paul Gondwe, the head of the child labor control unit in the ministry of labor, seven employers have been prosecuted and convicted over the past year. None of the convicted employers (most of them farm owners) received a custodial sentence but rather paid fines of between US\$60 and US\$100. These cases involved small children herding cattle and working in tobacco estates. Post believes that, in view of Malawi's low income levels (average \$170 per year) and correspondingly low monetary fines, the imposed sentences were stiff enough to deter others.

New developments in the fight against child labor

3. Ministry of Labor has prepared and published a National Code of Conduct on Child Labor. The booklet was published on November 29, 2004, and the ministry has placed one press release in the local press to publicize its contents. Gondwe stated that his ministry plans to translate the code of conduct into local languages. As resources allow, the code of conduct will be distributed to all farm owners who are the major culprits in child labor.

4. To strengthen the fight against child labor, the Ministry of Labor, in collaboration with workers and employers, has completed its work on a "hazardous work schedule" that is now awaiting final review. Once approved, this schedule will be appended to Employment Act No.6 of 2000. The schedule details all work that is considered hazardous and not for persons below the age of 18. (Minimum legal age for non-hazardous work is 14 in Malawi).

Efforts to combat child trafficking succeeding

5. According to Justin Hamela, Project Coordinator for the Stop Harming and Exploiting Children project, a number of cases have been reported where children have been trafficked from one town to another, particularly from villages to town on promise of a good job. The children are often orphans or from broken homes. Interventions have paid off in some cases, and a total of 14 children have been retrieved and repatriated in the past year. The establishment of child protection workers in the rural areas has contributed significantly to this success. These are voluntary workers but get paid small honoraria through a project supported by UNICEF.

Capacity Building for fight against child labor

6. Ministry of Labor has conducted three refresher courses for its 150 child labor inspectors and its district and community labor committees. In addition, 77 child labor youth activists have been given training on child labor using the just-developed child labor code of conduct. These 77 youth activists have also received bicycles through a project funded by NORAD through UNICEF.

7. Ministry of Gender, Child Welfare and Community Services has trained 240 child protection workers throughout the country. This has been possible through financial assistance from the Nordic Agency for Development under the "Stop Harming and Exploiting the Children Project." This project has three components--prevention, protection and rehabilitation--and targets street children, children with disabilities and children in danger of abuse. It is also working with local NGOs by providing resources for working with local communities.

18. GOM has set aside about US\$60,000 in the FY05/06 budget to support ministry of labor conduct civic education campaigns on child labor and to buy office equipment for district labor inspectors. This is the first time a specific amount has been put in the budget for child labor monitoring activity.

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